

NOTICE OF ALBANY CITY COUNCIL MEETING

There will be a meeting of the City Council in and for the City of Albany, Stearns County, Minnesota at 6:30 o'clock in the evening on Wednesday, May 18, 2016, in the Council Room at 400 Railroad Avenue for the said City.

AGENDA

1. Convene meeting
2. Pledge of Allegiance
3. Audit Bills
4. Act on regular Council minutes of the meeting held on May 4th
5. Open Forum/Public comment
6. Randy Lockridge, President Albany Area Jaycees
 - present Large Gathering Permit application and Resolution 2016-23 MN Lawful Gambling LG220 application Exempt Permit (raffle) for annual street dance on 5th Street (June 4th)
 - Resolution 2016-21 MN Lawful Gambling LG220 application Exempt Permit (pull-tabs) for Heritage Day August 6th
7. Public Hearing on final assessments for the 2016 Street and Utility Improvements (5th Street, Linden Avenue, 2nd Avenue, and Meyer Avenue)
 - Jeremy Mathiasen, City Engineer
 - Resolution 2016-22 adoption of final assessment role
8. Ozzie Carbajal, Police Chief – presentation of citizens awards and an officer commendation award
9. Jeremy Mathiasen, City Engineer - Project Updates
 - 2015 Capital Improvements –present final pay application for site restoration
 - 2016 5th Street Roadway and Utility Improvements
10. Joe Mergen, Public Works Supervisor
11. Laurie Dingmann, Park Board and Community Education Liaison
12. John R. Harlander, Street Department and Albany Township Liaison
13. Tom Kasner, Fire Department, EDA Board, and Equipment
14. Ozzie Carbajal, Police Chief
15. John Greer, Police Department and Planning Commission
16. Daron Gersch, Utility Department and Albany Golf Club (AGC) – ratify election results from Albany Golf Club annual stockholders meeting
17. Tom Schneider, Clerk/Adm. – present proposals to enter into an agreement to provide exclusive food services at the Albany Golf Club with owner/operator leasing space from the club.
 - Present MnDOT Special Event applications (5K run/walk and parade on Heritage Day)
18. Mayor's announcements and letters
19. Announce next meeting date and adjourn

Tom Schneider
Clerk/Adm.

RESOLUTION 2016-23
APPROVING MINNESOTA
OFF-SITE LAWFUL GAMBLING

WHEREAS, the Albany Area Jaycees has filed a Minnesota Lawful Gambling Off-Site Lawful Gambling Application to conduct a raffle on June 4, 2016, and

WHEREAS, the City Council, of the City of Albany, County of Stearns, State of Minnesota, has reviewed the said application; and

WHEREAS, the City Council finds that appropriate circumstances exists; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALBANY, COUNTY OF STEARNS, STATE OF MINNESOTA, does hereby approve the Off-Site Lawful Gambling (Raffle) at 5th Street and Railroad Avenue, (Street Dance), by the Albany Area Jaycees.

Approved by the City Council this 18th day of May, 2016.

Daron Gersch, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

RESOLUTION 2016-21
APPROVING MINNESOTA
OFF-SITE LAWFUL GAMBLING

WHEREAS, the Albany Jaycees has filed a Minnesota Lawful Gambling Off-Site Lawful Gambling Application to conduct pull-tab sales on August 6, 2016, and

WHEREAS, the City Council, of the City of Albany, County of Stearns, State of Minnesota, has reviewed the said application; and

WHEREAS, the City Council finds that appropriate circumstances exists; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALBANY, COUNTY OF STEARNS, STATE OF MINNESOTA, does hereby approve the Off-Site Lawful Gambling at 400 Railroad Avenue, by the Albany Jaycees.

Approved by the City Council this 18th day of May, 2016.

Daron Gersch, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

EXHIBIT A
NOTICE OF PUBLIC HEARING ON ASSESSMENTS FOR THE
2016 STREET AND UTILITY IMPROVEMENTS
(5TH STREET, LINDEN AVENUE, 2ND AVENUE, MEYER AVENUE)

NOTICE IS HEREBY GIVEN: That the City Council of the City of Albany, Minnesota, will meet in the City Hall in the City of Albany, MN, on Wednesday, the 18th of May, 2016, at 6:30 PM or as soon thereafter as possible to consider objections, if any, to the proposed assessments for the 2016 Street and Utility Improvements heretofore ordered by the City Council.

The proposed assessment roll is on file with the City Clerk and open to public inspection. Properties abutting on and or benefiting from the improvements are proposed to be assessed. The general nature of the improvements are: new street, storm sewer, sanitary sewer, and water main improvements, to wit: 5th Street Improvements from Linden Avenue to Soo Line Avenue, on Linden Avenue from 5th Street to 6th Street, on 2nd Avenue from 50' east of the 6th Street centerline to the 2nd Avenue cul-de-sac, and on Meyer Avenue from 100' east of 6th Street to the Meyer Avenue Cul-de-sac in the City of Albany, Minnesota as described in and in accordance with the preliminary plans and report prepared by Stantec, Inc., consulting engineers for the City.

The total amount proposed to be assessed is \$372,842.62 such assessment is proposed to be payable in equal annual installments extending over a period of fifteen (15) years. Written or oral objections will be considered at the hearing. An owner of property to be assessed may appeal the assessment to the district court of Stearns County pursuant to MN Statutes, Section 429.081 by serving notice of appeal upon the Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten (10) days after service upon the Mayor or Clerk.

No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object to the assessment hearing is due to a reasonable cause.

Under the provisions of Minnesota Statutes, Section 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. The notice of this hearing mailed to property owners contains additional information.

Dated: April 20, 2016.

BY ORDER OF THE CITY COUNCIL

Tom Schneider
Clerk/Administrator

Published in the The Enterprise May 4th and May 11th, 2016.

RESOLUTION 2016-22
ADOPTING ASSESSMENT ROLL

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the 2016 Street and Utility Improvements (5th Street, Linden Avenue, 2nd Avenue, Meyer Avenue).

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Albany, Minnesota, as follows:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement.
2. Such assessment shall be as follows:
 - a. The assessments shall be payable in equal annual installments including principal and interest extending over a period of fifteen (15) years, with interest at the rate of 4.5 % per annum, in the amount annually required to pay the principal over such period at such rate, the first of said installments to be payable with general taxes for the year 2017, collectible with such taxes during the year 2017. Interest shall accrue from and after June 19, 2016. The owner of any property assessed may, at any time before the certification of the entire assessment or the first installment to the County Auditor, pay the entire assessment to the Administrator/Clerk/Treasurer without interest on or before June 19, 2016.
 - b. The owner of any property so assessed may at any time prior to certification of the assessment to the County Auditor, pay to the City Treasurer, and thereafter at any time prior to November 15th of any year pay to the County Auditor, the whole of the principal amount of the assessment on such property provided that no such prepayment shall be accepted without payment of all installments due to and including December 31 of the year of prepayment, and the original principal amount reduced only by the amounts of principal included in such installments computed on an annual amortization basis.
2. The City Clerk shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Adopted by the City Council of the City of Albany this 18th day of May 2016.

Daron Gersch, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	May 12, 2016

Reference: Engineering Update for the 5/18/16 Council Meeting

2015 Capital Improvements

A project punch list has been developed and the remaining items should be taken care of in the coming months. We are scheduling a meeting with the paving contractor to review the remaining cart path paving.

We learned today that there may be some issues relating to the golf course seeding. The Contractors are reviewing options to correct the issue and we should have an update for you at the meeting.

5th Street Roadway and Utility Improvements

Utility work is continuing along Linden Avenue and the south end of 5th Street. Tuesday and Wednesday of this week were rain days with a limited amount of work being done. The pond area has been excavated and will be getting topsoil re-spread as soon as the weather allows.

To date the residents have been supportive of the work and there have been a minimal number of concerns brought to our attention. We have reiterated to the Contractor that they aren't to be making noise on site until 7:00 AM.

1st Street (TH 238) Utility Improvements

Our final design work is on hold until we receive the final storm sewer and street designs from MnDOT.

If anyone has any project related or general questions feel free to contact me before the meeting or anytime. Jeremy – 320.529.4366 – Jeremy.mathiasen@stantec.com

**FINAL PAYMENT
CONTRACT VOUCHER NO. 3
2015 CAPITAL IMPROVEMENTS - SITE RESTORATION**

TO: Loren's Tree & Lawn Service
35694 County Road 10
Albany, MN 56307

OWNER: City of Albany, MN
400 Railroad Avenue
Albany, MN 56307

Contract for: 2015 Capital Improvements - Site Restoration
Contract Approval Date: September 16, 2015

Completion Dates:
Substantial: November 13, 2015
Final: June 30, 2016

For Period Ending: April 30, 2016

ORIGINAL CONTRACT AMOUNT	\$ 27,089.00	TOTAL AMOUNT TO DATE:	\$ 48,905.19
NET CHANGE ORDERS (thru No.)		LESS AMOUNT RETAINED (0%)	\$ -
NET SUPPLEMENTAL AGREEMENTS (thru No.)	\$ -	AMOUNT DUE TO DATE:	\$ 48,905.19
NET WORK ORDERS (thru No.)	\$ 12,219.00	LESS PREVIOUS PAYMENTS:	\$ 45,540.15
CURRENT CONTRACT AMOUNT	\$ 39,308.00	NET AMOUNT DUE:	\$ 3,365.04

Owner's Approval:

I hereby approve payment of this voucher.

Dated: _____

Signature: _____
City of Albany

Engineer's Recommendation:

This Partial Payment Voucher meets the requirements of the Contract Documents and payment of the above NET AMOUNT DUE is recommended.

Dated: 5/12/2016

Signature: Jeremy B. Mathias
Stantec Consulting

CERTIFICATE FOR PARTIAL PAYMENTS

Contractor's Certification:

This is to certify that, to the best of my knowledge, information and belief, the quantities and values of work performed as stated herein is a fair approximate estimate of the work performed and the materials furnished for the period covered by this voucher.

Dated: _____

Signature: _____
Loren's Tree & Lawn Service

2015 Capital Improvements - Site Restoration
FINAL PAYMENT
CONTRACT VOUCHER NO. 3
2015 CAPITAL IMPROVEMENTS - SITE RESTORATION

Line No.	Item	Unit	Unit Price	Contract		Work Included on this Voucher		Work Complete - to Date	
				Quantity	Amount	Current Quantity	Current Amount	Quantity to Date	Amount to Date
2015 Capital Improvements									
ALTERNATE No. 1									
63	SELECT TOPSOIL BORROW (LV)	CY	\$ 22.50	450.00	\$ 10,125.00		\$ -	384.00	\$ 8,640.00
64	SEEDING, INCL. SEED AND FERTILIZER	SY	1.50	6,776.00	\$ 10,164.00		-	8,032.00	12,048.00
65	HYDRAULIC SOIL STABILIZER TYPE 5	SY	1.00	6,800.00	\$ 6,800.00	968.19	968.19	15,998.19	15,998.19
TOTAL ORIGINAL CONTRACT					\$ 27,089.00				
2016 EXTRA WORK (LANGE'S EXCAVATING)									
66	REMOVAL OF EXCESS MATERIAL	CY	15.69	252.00	\$ 3,937.50		-	252.00	3,937.50
67	GEOTEXTILE FABRIC, TYPE 5	SY	1.50	333.00	\$ 499.50		-	333.00	499.50
68	RECYCLED CONCRETE BASE	CY	19.00	228.00	\$ 4,332.00		-	228.00	4,332.00
69	COMMON EXCAVATION	HR	115.00	30.00	\$ 3,450.00		-	30.00	3,450.00
TOTAL EXTRA WORK					\$ 12,219.00				
TOTALS					\$ 39,308.00		\$ 968.19	\$	48,905.19

REQUEST FOR CATERING PROPOSALS ALBANY GOLF CLUB

The Albany Golf Club, Inc. is accepting proposals to enter into an agreement to provide exclusive food services at the Albany Golf Club with owner/operator leasing space from the Albany Golf Club, Inc. Proposals are due by Friday May 13th no later than 4:00pm. Proposals should be submitted to Paul Wellenstein, Manager, Albany Golf Club, Box 338, Albany, MN 56307. The Albany Golf Club currently maintains a catering kitchen. The desired proposal is for operation of food services 7 days a week, typically April through Oct. sunrise to sunset. The caterer will be responsible for all staffing, ordering and maintaining food inventories, menu development, pricing, safe food practices and daily janitorial service of the food facilities. Cater will be responsible for payment of all invoices that correspond to the food operation, including but not limited to, sales tax, employee salaries, benefits, invoices for food, towel and uniform services, and credit card processing services. The proposal should include a budget for any food service equipment not in the kitchen after remodel. The Albany Golf Course also has men's and Ladies golf leagues that play through out the week from May to Sept. Length of contract – 1 year initial term with a multi-year option at the sole discretion of the Albany Golf Club.

VENDER SELECTION

Proposers should address the following:

Tentative menu including pricing.

Financial details: proposed rent or revenue sharing to be paid to Albany Golf Club; cost sharing of utilities including, but not limited to gas, electricity, water and refuse; cost sharing of maintenance of equipment used in food operations; proposal

for equipment purchases and capital investment in the facilities; marketing proposal.

Proposer Experience and Qualifications: Proposer should identify any current facilities under management, the number of years involved in the business of catering for special events, the type of special events catering for special events, the type of special event catered in the past.

If selected, Proposer will be required to comply with all applicable federal, state, and local statutes, ordinances, and regulations pertaining to human rights and non-discrimination against prospective employees because of age, race, color, sex, religion, creed, nationality, and disability. Proposer must be able to obtain general liability insurance, automobile liability insurance, and workers compensation coverage with limits acceptable to the Albany Golf Club, Inc.

Albany Golf Club, Inc. will require finalists to make a presentation of their respective proposals. The selected finalist will be subject to approval by the Albany City Council. Upon approval by the Albany City Council, legal contracts will be developed outlining agreed to responsibilities, scope of operations, financial agreements and any other specifics.

Response to this RFP must be submitted in writing. Proposers may arrange a tour of the facilities by contacting Paul Wellenstein at 320-845-2505. Albany Golf Club will consider only those proposals submitted in writing on or before the date and time specified above. To the extent Albany Golf Club determines, in its sole discretion, to respond to any communications and/or inquiries, such response will be made in writing and mailed and/or transmitted by email or facsimile to all proposers.